THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 6845 of 2006

10.04.2006

Between:

M/s.Jasti Venkateshwara Rao.

…Petitioner

And

The Commercial Tax Officer, South Circle, Vijayanagaram & Others.

….Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 6845 of 2006

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

Garnishee notice has been issued by the 1st respondent, which is being challenged in this writ petition on the ground that pending appeal, stay application is filed, which has been posted for hearing for 27th of April 2006. Even during pendency of this application, the impugned notice has been issued.

After hearing learned counsel for both sides, we allow the writ petition, set aside the impugned garnishee notice and grant stay of recovery till the stay application is decided by the Appellate Deputy

Commissioner-2nd respondent.

Writ Petition is accordingly allowed. No costs.

(BILAL NAZKI,
J)

10th April 2006

(G.CHANDRAIAH,J)

N.B:-
Order by wire at party's cost.
(B/o)
ajr